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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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In the Matter of )

North American Numbering Council )

Letter Seeking Clarification of )

the Term "Technology Neutral" )

DA 97-2234

CC Docket No. 92-237

**REPLY COMMENTS OF WORLDCOM, INC.**

WorldCom, Inc. ("WorldCom") hereby files its reply comments in response to the initial comments filed by other parties concerning the Public Notice released by the Common Carrier Bureau ("Bureau") on October 20, 1997 in the above-captioned proceeding. The Bureau seeks comments on a letter from the North American Numbering Council ("NANC") asking for clarification of the term "technology neutral."

**I. "TECHNOLOGY NEUTRAL" SHOULD BE DEFINED AS PROHIBITING NUMBERING DECISIONS FROM UNDULY DISADVANTAGING OR BURDENING CARRIERS, OR DENYING THEM ACCESS TO NUMBERING RESOURCES, BASED ONLY ON THE TYPE OF TECHNOLOGY EMPLOYED BY THAT CLASS OF CARRIERS**

Less than a dozen entities responded to the Bureau's Public Notice, with the majority of initial commenters representing the wireless industry (Sprint Spectrum PCS, Comcast Cellular Communications, CTIA, Vanguard, PCIA, Paging Network Inc., and Omnipoint). AT&T, MCI, and ALTS also filed comments.

In WorldCom's view, there is little consensus that can be gleaned from the initial comments. Nonetheless, three facts seem fairly well established: (1) Number pooling alone cannot be invoked like some magic wand to make the problem of number exhaust simply vanish; (2) more than one solution is needed to address the number exhaust crisis; and (3) such action

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must be initiated immediately. WorldCom supports number pooling via location routing number ("LRN") technology as one very important step towards conserving and replenishing the number supply, and believes that number pooling itself is technologically neutral.

WorldCom agrees with MCI's position that technological neutrality means that numbering decisions cannot unduly disadvantage or benefit any one carrier or class of carriers, or deny access to numbering resources based on the technology a carrier or class of carrier uses in its networks.<sup>1</sup> Technological neutrality in numbering administration also means that no carrier or class of carriers may be discriminated against -- it does not mean that no carrier or class of carriers may face a cost of some sort. WorldCom further supports MCI's declaration that technological neutrality does not mean that area code relief measures can only be implemented once every industry segment, both wireline and wireless, has fully deployed switching systems to support all numbering functionalities.<sup>2</sup>

Clearly, as MCI notes, methods to conserve telephone number resources are urgently needed.<sup>3</sup> One method that will be available soon is number pooling with NXX-X LRN capability. WorldCom believes that the Commission should allow use of the one means that will soon be available to more efficiently allot numbers at least among one segment of the industry. It makes little sense to maintain a significant level of inefficiency simply because some carriers

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<sup>1</sup> MCI Comments at 1.

<sup>2</sup> MCI Comments at 1-2.

<sup>3</sup> MCI Comments at 2.

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cannot immediately benefit from others' efficiencies. Number pooling via LRN is only one of several means to be employed to enable wireless and wireline providers to obtain the numbers needed to serve their customers and to grow. The fact that number pooling alone will not vanquish number exhaust seems a poor excuse for not employing it. Nor it is valid to oppose number pooling because from day one carrier or even one class of carriers cannot participate in the pooled numbers.

The goal and meaning of neutrality can not and must not mean doing nothing until a completely painless and across-the-board solution arises, for the simple reason that such a solution will never arise. In the meantime, residential and business customers will be denied services or at least timely service as providers fail to acquire the telephone numbers necessary to serve them. If technological neutrality is defined as waiting indefinitely until the hope of a painless perfection arises, then neutrality will be used as an excuse to continue unnecessary inefficiency, and the scarcity of numbers will become more severe to the detriment of all. WorldCom opposes any such "split the baby equally" attitude so all may suffer symmetrically.

Costs and benefits exist for every standard of neutrality. The fact that some wireless providers may not benefit as soon as some wireline providers does not mean that the solution is not neutral, or that it discriminates. It means that the underlying situation is not identical, and that is indeed the case. It is axiomatic that different underlying technologies, different customer expectations, and different regulatory regimes do, and will continue to, exist. Discrimination in number assignments based on these types of differences obviously must not

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be allowed; at the same time, flexible implementation can and should be allowed.

In fact, such flexibility has already been recognized and accepted by many in the wireless industry. For example, wireless carriers, including cellular telephone providers and personal communications service ("PCS") providers, were granted a much later deadline than wireline providers for implementing LRN technology for permanent local number portability in order to address certain technical issues. While the deadline is different, with the wireless industry deadline set at June 30, 1999 and the wireline industry phased-in schedule concluding by Dec. 31, 1998, both wireline and wireless carrier may choose to implement LRN earlier. Such earlier implementation is not at all prohibited or restricted in any way by the Commission. It would behoove wireless carriers to recognize the compelling industry need for number conservation measures, and to realize that both its short-term and long-term interests require investing in and implementing LRN earlier rather than later, so as to gain access to more numbers as well as customers by being able to port numbers from wireline carriers. Given this business reality, WorldCom finds it difficult to understand how wireless carriers can support banning number pooling for wireline carriers who implement the enabling technology earlier than scheduled.

WorldCom agrees with Sprint PCS, Comcast Cellular Communications, Inc. and others that numbering conservation and exhaust relief methods must recognize that providers of telecommunications service use different technologies and must recognize the limitations of those

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different technologies.<sup>4</sup> Further, WorldCom agrees that technological neutrality is closely related to competitive neutrality, and any conservation or relief method must ensure fair and impartial access to numbering resources to all carriers, without disproportionately burdening one industry segment over another.

Another factor to keep in mind is the relative level of responsibilities that each industry segment has agreed to shoulder. Because the wireline carriers began the process earlier, their efforts were rewarded with earlier deadlines. Further, wireline providers bear more of the costs to implement LNP earlier, organize, support and administer the groups known as limited liability companies ("LLCs") who evaluated, negotiated and contracted with vendors for LNP implementation. It is wireline carrier who now will begin to pay those vendors. Competitive neutrality suggests those responsibilities must be shared among all carriers, not borne by one class or a limited subgroup of one class. Yet the wireless community has not clamored for those responsibilities.

WorldCom believes the opposition from some in the wireless community boils down to the simple fact that wireless carriers would rather not invest to implement LRN any earlier than they absolutely have to. But number pooling can be done only with LRN, and only those carriers who have implemented LRN can obtain the smaller blocks of numbers. If wireline carriers implement LRN, they can pool numbers, obtain 1,000 number blocks instead of the now

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<sup>4</sup> Sprint PCS Comments at 1; Comcast Comments at 1.

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assigned 10,000 number blocks, and make a greater universe of numbers available to wireline and wireless carriers. But, since wireless carriers, without installing LRN, cannot obtain the smaller blocks of numbers, they will fail to benefit; consequently, the wireless carriers object to the wireline carriers benefiting from LRN efficiencies until wireless carriers also can benefit.<sup>5</sup> This type of reasoning has nothing to do with technological neutrality.

In the Commission's Reconsideration Order in this proceeding,<sup>6</sup> which extended the deadline for completing LNP implementation, the Commission did not delay the start date for LNP implementation. Nor does the Reconsideration Order in any way prevent or forbid any carrier from implementing LNP earlier than the established windows. Presumably, a wireless carrier would see even more market benefit to investing in the necessary network technology so as to win more customers from the landline industry and benefit directly from number pooling. WorldCom understands that today, the wireless industry has not implemented LRN and argues that number pooling should not be mandated for wireless providers today. Nonetheless, number pooling should take place as soon as practical for wireline carriers.

There are varying deadlines and target dates for LNP implementation across the

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<sup>5</sup> WorldCom agrees with ALTS that wireless carriers have not identified with any specificity what they perceive as the potential harm to them if number pooling is adopted for wireline carriers prior to LRN implementation by wireless. ALTS Comments at 3. In any event, pooling should make more numbers available to all carriers, benefiting both wireline and wireless.

<sup>6</sup> First Memorandum Opinion and Order on Reconsideration, CC Docket No. 95-116, RM-8535, released March 11, 1997.

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country and among wireline carriers. Widespread number pooling across the nation may not be able to occur until late next year. The fear that only wireline providers will have unfettered access to a larger universe of numbers for a significant period of time is unrealistic. Whenever and wherever numbering efficiencies and conservation can occur, however, supporting steps must be taken as soon as possible.

In sum, the Commission's numbering policy must take into account, at least to some extent, technological differences. But that numbering policy also should take into account the fact that one segment of the industry is shouldering the brunt of implementing the technology that can benefit the entire industry, either directly or indirectly. To denounce one element of a policy simply because it does not immediately benefit all parties to the same extent is parochial and short-sighted and, if adopted by the Commission, would be nothing short of discriminatory. Thus, WorldCom urges the Commission to define "technology neutral" to mean that numbering decisions cannot (1) unduly disadvantage or benefit any one carrier or class of carriers, or (2) deny access to numbering resources based on the technology a carrier or class of carrier uses in its networks. Further, number pooling using LRN should be implemented as soon as practical for wireline carriers, and wireless carriers should be exempt until they implement LRN in their networks.

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**II. CONCLUSION**

The Commission should adopt WorldCom's views concerning the definition of the term "technology neutral."

Respectfully submitted,



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November 6, 1997



## **CERTIFICATE OF SERVICE**

I, Cecelia Y. Johnson, hereby certify that I have this 6th day of November, 1997, sent a copy of the foregoing Reply Comments of WorldCom, Inc. by hand delivery or first class U.S. mail, postage prepaid to the following:

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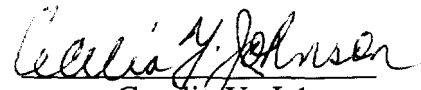
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